

James E. Cecchi  
Lindsey H. Taylor  
Donald A. Ecklund  
CARELLA, BYRNE, CECCHI, OLSTEIN,  
BRODY & AGNELLO, P.C.  
5 Becker Farm Rd.  
Roseland, New Jersey 07068  
(973) 994-1700

*Counsel for Plaintiffs and Class Counsel*

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE:

NUTELLA MARKETING AND SALES  
PRACTICES LITIGATION

Civil Action No. 11-1086(FLW)(DEA)

**NOTICE OF MOTION**

To: All Counsel via ECF

COUNSEL:

PLEASE TAKE NOTICE that, on July 9, 2012 at 10:00 a.m., the parties shall jointly move before the Hon. Freda L. Wolfson, U.S.D.J. at the at the Clarkson S. Fisher Federal Building and U.S. Courthouse, 402 East State Street, Trenton, New Jersey, to enter an Order approving the application of Plaintiffs Marnie Glover and Jayme Kaczmarek and Class Counsel Carella, Byrne, Cecchi, Olstein, Brody & Agnello and Scott+Scott LLP for an award of attorneys' fees and reimbursement of expenses pursuant to Fed. R. Civ. P. 23(h), and approval of a \$2,000 incentive award for each of the Class Representatives.

PLEASE TAKE FURTHER NOTICE that, in support of the motion, the parties will rely upon the accompanying brief in support of application for award of attorneys' fees, reimbursement of expenses and approval of incentive awards and the supporting declarations and affidavit.

PLEASE TAKE FURTHER NOTICE that, in accordance with the Federal Rules of Civil Procedure, a proposed form of Order is attached.

CARELLA, BYRNE, CECCHI,  
OLSTEIN, BRODY & AGNELLO, P.C.  
*Attorneys for Plaintiff Kaczmarek and the Class*

By: /s/ James E. Cecchi  
JAMES E. CECCHI

Dated: May 25, 2012

Christopher M. Burke  
SCOTT+SCOTT LLP  
707 Broadway, Suite 1000  
San Diego, CA 92101  
(619) 233-4565

Joseph P. Guglielmo  
SCOTT+SCOTT LLP  
500 Fifth Avenue, 40th Floor  
New York, NY 10110  
(212) 223-6444

*Counsel for Plaintiff Glover and Class Counsel*